



08/09/09/092

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Asmith
8-24-95
#4/Rea

FILING UNDER 37 CFR 1.60(b)

This is a request for filing a

Continuation

Divisional

application under 37 CFR 1.60, of pending application Serial Number 07/836,679 filed on February 14, 1992 of G.P. Dipoto,
(date) (inventor(s))

J.C. Cerier, R. F. Warren, G. S. Carlozzi,

Paul DiCarlo, J. W. Dwyer, A. A. Small,

for SUTURE ANCHOR AND DRIVER ASSEMBLY.

1. Copy of Prior Application as Filed Which is Attached

I hereby verify that the attached papers are a true copy of what is shown in my records to be the above identified prior application, including the Declaration originally filed (37 CFR 1.60).

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service on this date July 12, 1993 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number TB02742739X US addressed to the: Commissioner of Patents and Trademarks, Washington, D.C 20231.

(name of person mailing paper)

Robert T. Lee

(Signature of person mailing paper)

Robert T. Lee

DE11367 07/30/93 08091092

The copy of the papers of prior application as filed which are attached are as follows:

- 21 page(s) of specification
- 7 page(s) of claims
- 1 page(s) of abstract
- 9 sheet(s) of drawing
- 1 copy of pages of declaration and power of attorney showing applicant's signature

2. ~~Amendments~~

- Cancel in this application original claims
2, 3, 5, 7-17, 23-30, 32-35, and 38-41
of the prior application before calculating the filing fee. (At least one original independent claim is retained for filing purposes.)
- A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following with the highest numbered original claim in the prior application.)

3. Petition for Suspension of Prosecution for the Time Necessary to File an Amendment

- Provided herewith is a Petition To Suspend Prosecution for the Time Necessary to File An Amendment (New Application Filed Concurrently)

4. Fee Calculation

CLAIMS AS FILED				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) BASIC FEE (\$710.00)
TOTAL CLAIMS	12 - 20 =	0	X \$22.00	
INDEP. CLAIMS	2 - 3 =	0	X \$74.00	
MULTIPLE DEPENDENCY FEE			\$ 220.00	
				TOTAL FILING FEE \$ 710.00

5. Drawings

Transfer the following sheet(s) of drawing from the prior application to this application:

A copy of the amendment cancelling these sheets of drawing in the prior application is attached.

New drawings are enclosed

formal

informal

6. Relate Back - 35 U.S.C. 120

Amend the specification by inserting before the first line the sentence:

~~"This is a divisional of co-pending application Serial Number 07/836,679, filed on February 14, 1992."~~

7. Inventorship Statement

(a) With respect to the prior copending U.S. application from which this application claims benefit under 35 USC 120, the inventor(s) in this application is (are):

the same

less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:

(b) The inventorship for all the claims in this application are

the same

not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.

8. Assignment

[X] The prior application is assigned of record (by all but one of the inventors) to

American Cyanamid Company
1937 West Main Street
P.O. Box 60
Stamford, CT 06904-0060

[X] An assignment of the invention is attached.

9. Fee Payment being made at this time

[X] filing fee	\$ <u>710.00</u>
[] recording assignment	\$ _____
TOTAL \$ <u>710.00</u>	

10. Method of Payment of Fees:

Charge Deposit Account No. 01-1300 in the amount of \$710.00
A duplicate of this transmittal is attached.

11. Instructions as to Overpayment:

Credit any overpayment to Deposit Account No. 01-1300.

12. Power of Attorney

[] The Power of Attorney in the prior application is to

<u>Douglas E. Denninger</u>	<u>31,752</u>
(Attorney)	(Reg. No.)

<u>William H. Calnan</u>	<u>29,520</u>
(Attorney)	(Reg. No.)

<u>Brian R. Woodworth</u>	<u>33,137</u>
(Attorney)	(Reg. No.)

<u>(Attorney)</u>	<u>(Reg. No.)</u>
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<u>(Attorney)</u>	<u>(Reg. No.)</u>
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a. [] The power appears in the original papers in the prior application

b. [] Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. [] A new power has been executed and is attached.

d. [X] Address all future communications to:

Douglas E. Denninger

American Cyanamid Company

1937 W. Main Street, P.O. Box 60

Stamford, CT 06904-0060

13. Maintenance of Copendency of Prior Application

[] A petition, fee and response has been filed to extend the term in the pending application until:

[] A copy of the petition for extension of time in the prior application is attached.

14. Conditional Petition for Extension of Time in Prior Application (Complete this item and file conditional petition in the prior application if previous item not applicable.)

[] A conditional petition for extension of time is being filed in the pending patent application.

[] A copy of the conditional petition for extension of time in the prior application is attached.

Douglas Denninger

(Signature of Attorney)

Reg. No. 31,752

Douglas E. Denninger

(Type name of Attorney)

Tel. No. (203) 321-2255

American Cyanamid Company

1937 West Main Street

P.O. Box 60

Stamford, CT 06904-0060

Assignment recorded in PTO on 05/14/92.

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